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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/578,437	05/25/2000	3643	514	12515.4USD1	14	1	1

CONFIRMATION NO. 6437

## CORRECTED FILING RECEIPT



\*OC00000005918202\*

Jianhua Fan  
5800 Maudina Ave.  
#C2  
Nashville, TN 37209

Date Mailed: 03/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Jianhua Fan, Nashville, TN;

## Continuing Data as Claimed by Applicant

THIS APPLICATION IS A DIV OF 09/208,121 12/09/1998 PAT 6,131,334  
WHICH IS A CIP OF 09/119,176 07/20/1998 PAT 6,125,580

## Foreign Applications

If Required, Foreign Filing License Granted 08/11/2000

Projected Publication Date: 07/05/2001

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Self-watering tray

## Preliminary Class

047

Data entry by : HOLMES, MARY

Team : 3600

Date: 03/29/2001



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Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/578,437 05/25/00 FAN

J 12515.4USD1

PM51/0329

EXAMINER

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NASHVILLE TN 37209

GELLNER, J

ART UNIT

PAPER NUMBER

3643  
DATE MAILED:

03/29/01

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 3/23/01 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☒ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☐ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other \_\_\_\_\_
- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☐ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

*Mary Holmes*  
Legal Instruments Examiner

# **SUMMARY OF § 1.121 AMENDMENT CHANGES**

- All amendments filed March 1, 2001 (or later) must comply with revised 37 CFR 1.121

## **RULE 1.121 REQUIREMENTS:**

- Changes to specification/claims must be made by replacement of entire paragraphs/sections/claims
- Applicants must provide (a) a clean version of an amended paragraph or section or claim and (b) a marked-up version of the same paragraph or section or claim showing changes
- Clear instructions must be provided for the location of the amendment entry (e.g., paragraph number, page/line number)
- Deletion/Addition of paragraph/claim only requires an instruction to delete/add - no marked-up version required for deleted/added items

## **ENTRY GUIDELINES:**

- ENTER ONLY THE CLEAN VERSION (wherever it is) as an insert
- NO ENTRY OF SINGLE WORDS OR PARTIAL PARAGRAPHS OR CLAIMS
- Section heading may be entered (e.g. "SUMMARY OF INVENTION") as an insert
- DO NOT ENTER REPLACEMENT PAGES
- Examiner's Amendments may continue to use old practice of instructing entry of several words
- Portions of faxes or printed e-mails having full or partial replacement paragraphs/claims may be attached to an Examiner's Amendment

## **TREATMENT OF NON-COMPLIANT AMENDMENTS:**

- If non-compliant (e.g., either the clean version or the marked-up version is missing), LIE should send a form letter notifying applicant that amendment is non-compliant (attach informational flyer)
- See SPE/Exr. If amendment entry is questionable
- If amendment is not entered and letter noting the informality is mailed, use PALM 1632 (+MRD) to re-start response period

# Changes to the Patent Rules

October 20, 2000

Volume 1, Issue 3

This is the third in a series of Patent News Bulletins to assist you in keeping up to date with significant rule changes which affect your area. Keep this copy to use as a bookmark for your present MPEP, or view this bulletin again on the USPTO Website.



## Simplified Amendment Practice.

Replacement paragraphs/sections/claims to be used. 37 CFR 1.121

The rule package "Changes to the Patent Business Goals - Final Rule," published in the Federal Register on September 8, 2000, 65 Fed. Reg. 54603 (Sept. 8, 2000), and the Official Gazette on September 19, 2000, 1238 Off. Gaz. Pat. Of- fice 77 (September 19, 2000). The PBG rule package makes a number of revisions to Title 37.

The entire final rule may be found at the USPTO Website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/index.html>.

Areas and individuals primarily affected by this rule change include:  
(1) Patent Examiners and Tech Support Staff in the Technology Centers  
(2) Office of Patent Publication

Any questions related to this change in practice should be directed to Joe Narcavage, Special Projects Exr., (703-305-1795) or Liz. Dougherty, Legal Advisor, (703-306-3156) OPLA.



Mandatory compliance with the revised rule is not required until March 1, 2001. It is suggested that applicants adopt the revised procedures on or after November 7, 2000, in order to adjust to the changes in amendment practice.

Under the new amendment practice, amend- ments to the specification must be made by the submission of clean new or replacement para- graph(s), section(s), specification, or claim(s). This practice will provide a specification (including claims) in clean, or substantially clean, form that can be effectively captured and converted by optical character recognition (OCR) scanning during the patent printing pro- cess.

The new practice requires appli- cant to provide, in addition to the clean version of a replace- ment paragraph/section/claim, a marked-up version using appli- cant's choice of a conventional marking system to indicate the changes, which will aid the examiner in identifying the changes that have been made. The marked-up version must be based on the previous version and indi- cate (by markings) how the previous version has been modified to produce the clean version submitted in the current amendment. The term "previous version" means the version of record in the application as originally filed or from a previously entered amendment.

The following format is suggested in an amend- ment paper: (1) a clean version of each replace- ment paragraph/section/claim with clear in- structions for entry; (2) starting on a separate page, any remarks/arguments (37 CFR 1.111); and (3) starting on a separate page, a marked-up

version entitled "Version with markings to show changes made."

Applicants will also be able to submit a clean set of all pending claims, consolidating all previous versions of pending claims from a series of separate amendments into a single clean version in a single amendment paper. This submission of a clean version of all of the pending claims will be construed as di- recting the cancellation of all previous ver- sions of any pending claims. No marked-up version will be required to accompany the clean version where no changes other than the consolidation are being made.

The amended rule encourages issuance of applications with an examiner's amendment without practitioners/applicants having to file a formal amendment. Addi- tions or deletions of subject mat- ter in the specification, including the claims, may continue to be

made in an examiner's amendment at the time of allowance by instructions to make any change at a precise location in the specifica- tion or the claims. An examiner's amendment may incorporate a printed copy of a fax or e- mail amendment submitted by applicant. Only that part of the e-mail or fax directed to a clean version, or a portion of, a paragraph/ claim to be added should be printed and at- tached to the examiner's amendment, with a paper copy of the entire e-mail or fax being entered in the file. The electronic version of the e-mail is not required to be saved once the printed e-mail (and any attachments) becomes part of the application file record.

*Amendment by  
paragraph/claim  
replacement in clean form.*

MPEP 714+ &amp; 1302.04